

Message

From: Faeth, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12AF792B39CC4B4FA8089976F3F8859F-LFAETH]
Sent: 3/21/2018 3:31:28 PM
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Subject: News Articles (For EPA Distribution Only))

BNA DAILY ENVIRONMENT REPORT ARTICLES

Security Detail Added \$30K More to EPA Chief's Italy Trip



Travel costs for security personnel accompanying EPA Administrator Scott Pruitt to Italy tallied \$30,554, bringing the grand total for the trip to \$120,249, according to documents obtained by the Environmental Integrity Project.

Trump EPA Plans New Restrictions on Science Used in Rulemaking



The Environmental Protection Agency is preparing to restrict the scientific studies it uses to develop and justify regulations, making it harder to rely on research when its underlying data are shielded from view.

Exxon Says U.S. Gulf Coast Plastics Project Could Begin by 2021



Snapshot

- Final investment decision due to be taken later this year
- U.S. shale boom has spurred hundreds of chemical investments

By Kevin Crowley

Exxon Mobil Corp. said a project to expand plastics manufacturing along the U.S. Gulf Coast could start up by 2021 as the oil explorer boosts investment in a business that accounted for almost one-fourth of last year's profit.

Engineering work has begun on a facility that would increase Exxon's ability to produce polypropylene, a resin used to make lightweight and durable plastics, by as much as 450,000 tons a year, the Irving, Texas-based company said in a statement March 20.

The project will cost "several hundred million dollars" with a final investment decision due later this year.

Hundreds of U.S. chemical projects valued at \$188 billion have been announced since 2010, according to the American Chemistry Council, as the U.S. shale boom slashed the cost of oil, natural gas, and byproducts used as feedstocks.

"Most of our planned investment in the Gulf Coast region is focused on supplying emerging markets like Asia with high-demand products," John Verity, who heads Exxon's chemical business, said in the statement.

Exxon's polypropylene project is one of the company's 13 new facilities planned to expand chemical output in North America and Asia.

—With assistance from Jack Kaskey.

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Bid for FDA Ban of Formaldehyde Hair Products Stalled



Two environmental groups can't force the Food and Drug Administration to begin rulemaking to regulate or ban formaldehyde in hair-straightening products, the U.S. District Court for the District of Columbia said March 19.

GREENWIRE ARTICLES

Negotiators aim to settle policy fights, post omnibus tonight

George Cahlink and Geof Koss, E&E News reporters

Published: Tuesday, March 20, 2018



Congressional leaders hope to have massive omnibus spending legislation on the House floor by Thursday. Wikipedia (money); Ed Uthman/Flickr (Capitol)

Congressional leaders hope to have massive omnibus spending legislation on the House floor by Thursday, assuming they can resolve a few dozen outstanding policy fights.

House Speaker Paul Ryan (R-Wis.) said this morning he's "hoping" to file the \$1.3 trillion spending bill late tonight, paving the way for the House Rules Committee to consider the bill tomorrow and then floor action Thursday

<https://www.eenews.net/greenwire/2018/03/20/stories/1060076859>

Pruitt aide didn't have to sign Trump ethics pledge

Kevin Bogardus and Amanda Reilly, E&E News reporters

Published: Tuesday, March 20, 2018



U.S. EPA headquarters in Washington. EPA/Flickr

One of U.S. EPA Administrator Scott Pruitt's top aides wasn't required to sign President Trump's ethics pledge.

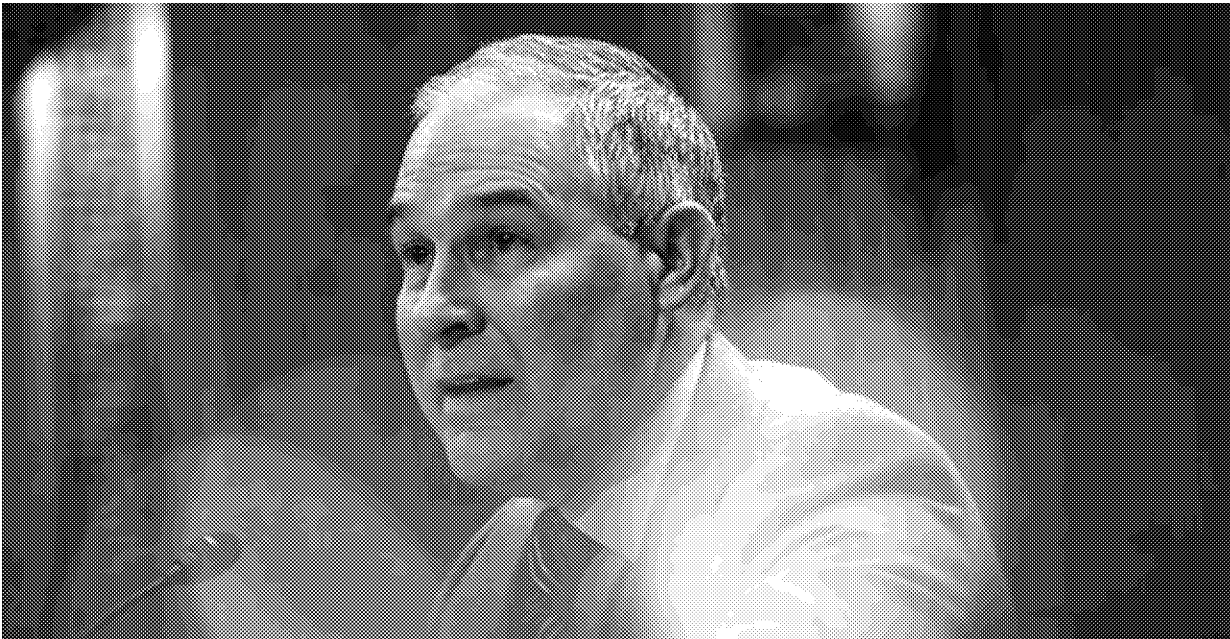
Byron Brown, deputy chief of staff for policy, was hired in an "administratively determined" position — a unique hiring authority held by the agency under the Safe Drinking Water Act. Consequently, Brown was not designated as a political appointee and didn't have to abide by the pledge.

<https://www.eenews.net/greenwire/2018/03/20/stories/1060076851>

Details lacking as Pruitt attacks 'secret science'

Scott Waldman, E&E News reporter

Published: Tuesday, March 20, 2018



U.S. EPA Administrator Scott Pruitt is sharing few details about his plan to make agency science more transparent. Pablo Martinez Monsivais/Associated Press

U.S. EPA is not releasing details of its plan to make science at the agency more transparent.

EPA will require that data and methodology from studies used to craft regulations be made public. In addition, studies that receive EPA funding must make data public.

EPA spokesman Jahan Wilcox would not release additional information about the plan and referenced Administrator Scott Pruitt's comments to the conservative news organization *The Daily Caller*. The agency sent that publication the article as a press release but did not otherwise lay out any details.

<https://www.eenews.net/greenwire/2018/03/20/stories/1060076849>

EPA plans summit on politically toxic nonstick chemicals

Corbin Hiar, E&E News reporter

Published: Tuesday, March 20, 2018

U.S. EPA Administrator Scott Pruitt has invited governors from every state and territory to a two-day meeting on a class of stain- and water-resistant chemicals after concerns about their health effects sank the nomination of his chemical safety adviser.

The National Leadership Summit, as EPA is referring to it, will take place in Washington on May 22 and 23. Governors or their representatives will share information on ongoing efforts to evaluate and respond to contamination from per- and polyfluoroalkyl substances, or PFAS.

<https://www.eenews.net/greenwire/2018/03/20/stories/1060076861>

Consensus forming around TSCA unique identifier provision

Industry and NGO lend tepid support to 'third option'

20 March 2018 / Confidentiality & right-to-know, TSCA, United States



Stakeholders from industry and public advocacy groups have backed a single proposed approach to applying a 'unique identifier' to confidential information submitted under TSCA.

The US EPA has been grappling for more than a year with a requirement under the new TSCA that it develop a system for applying a unique identifier (UID) to a substance, whose identity is protected as confidential business information (CBI).

It made two proposals aimed at addressing the challenge of consistently identifying information, while maintaining confidentiality.

Industry had initially rallied around the second option – a company-specific approach – until it became apparent that once the agency published the UIDs and their corresponding chemical accession numbers, it would inadvertently create linkages that could divulge CBI.

Last month, the EPA consulted on a third approach. This called for giving a single UID to each confidential chemical substance, and applying it to pertinent information, both confidential and non-confidential. In cases, however, where the application of the identifier would allow the public to work out the identity of the CBI substance, the agency would omit the UID and simply identify the substance by its name.

In comments to the agency, a majority of industry groups – including the American Chemistry Council, Socma, the American Fuel & Petrochemical Manufacturers (AFPM) and the International Fragrance Association North America (Ifra) – endorsed this latest option.

Meanwhile, NGO the Environmental Defense Fund has also agreed this is the "preferable" of the three options. "If implemented narrowly, as promised in the *Federal Register*," the EDF said in its comments, the third approach would "result in substantially fewer violations of the statute as compared with the earlier alternatives proposed by EPA."

This is a significant development. Previously the NGO had vehemently opposed the industry-backed second option.

Concerns persist

Nonetheless, the EDF continues to argue that even the third option is "flawed". It has called on the agency to "follow the plain text of the statute" and to require UIDs to be applied "consistently to all information relevant" to the chemical substance.

And industry has also raised concerns. The ACC was among groups that highlighted a risk of the EPA erring in its assessment of whether application of a UID would result in CBI disclosure, and applying it where it should not. It called on the agency to use caution and "implement a robust system of quality control and quality assurance to mitigate any risk of error".

And the American Petroleum Institute said it does not support the third option, because it "does not offer enough protection against CBI disclosure".

The approach, said the API, requires the EPA to screen non-confidential information for possible disclosure of CBI before determining whether to omit the UID – a "resource-intensive" process that carries a risk that the agency "would not be thorough" in its determinations.

The Lautenberg Act requires the EPA to annually publish a list of substances for which it has approved claims of protected chemical identity, together with those substances' unique identifiers.

The EDF pointed out in its comments that the agency's failure to do so – together with its apparent failure to begin applying any unique identifiers to date – has "already resulted in innumerable statutory violations". It has called on the agency to "act expeditiously" to address this.

Unique identifier

TSCA allows companies to request to keep a substance's identity confidential. If the EPA grants this, the substance is listed in the public portion of the TSCA inventory by an accession number and a generic chemical name that masks the specific substance identity.

Under section 14 of the new TSCA, the EPA must:

- develop a system to assign a UID to each specific chemical identity, for which it has approved a confidentiality request;
- apply that identifier consistently to all information relevant to the applicable substance;
- annually publish a list of confidential substances with their UIDs, including the expiration date for the claim;
- ensure that any non-confidential information received uses them to identify the substance; and
- for any expired confidentiality claim, link the chemical identity back to its unique identifier.

But in a *May Federal Register* notice, the agency said that two requirements – to apply the unique identifier to all non-confidential information related to the substance, while ensuring the identity is protected from disclosure – "do not appear to be completely reconciled in the statute". And it cited several examples where universally applying them to every information submission could result in CBI, including the chemical identity, being revealed.



Kelly Franklin

Editor, North America

Related Articles

- [EPA to grapple with TSCA 'unique identifier' CBI requirement](#)
- [Industry, NGO disagree on TSCA confidential chemical identities](#)
- ['Unique identifier' plan floated by US EPA for CBI data](#)

Further Information:

- [2018 Federal Register notice](#)
- [Public docket](#)

US EPA to convene PFAS summit

20 March 2018 / United States

The US EPA is convening a summit to identify risks associated with, and ways to take action on, per- and polyfluoroalkyl substances (PFAS). The agency says it plans to develop and release a PFAS management plan later this year, using information from the meeting.

In letters to state and US territory governors, EPA Administrator Scott Pruitt said that the substances have "emerged as a concern in communities across the nation, and it is time to come together to identify near-term actions to protect the health of all Americans."

The National Leadership Summit will take place on 22-23 May in Washington, DC. The EPA says it will include:

- discussion on characterising risks, monitoring and cleanup techniques of PFAS;
- identifying "specific near-term actions" that can be taken; and
- developing communications approaches to "address public concerns" with the chemical class.

The latest action follows the announcement late last year of a "[cross-agency effort](#)" to address PFAS substances, even as [states continue](#) to ramp up efforts to address the highly persistent substances.

Ongoing work by the agency includes the development of additional toxicity values, analytical methods, and treatment options for PFAS in drinking water.

The EPA has published drinking water health advisories for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), but has not formally regulated them.

Instead, the agency took the approach of working with industry to phase out their use, under a stewardship programme slated for completion by 2015. It [proposed a significant new use rule](#) (Snur) to codify the voluntary phase-out and apply it to manufacturers which were not party to that agreement, but the Snur has not been finalised.

Related Articles

- [US EPA announces 'cross agency' initiative on PFAS](#)
- [California lists PFOA and PFOS as reproductive toxicants under Prop 65](#)

- [PFASs seen as biggest emerging chemical issue for US states](#)

Further Information:

- [Summit](#)
- [EPA PFAS page](#)

Maryland considers NMP, methylene chloride ban

21 March 2018 / Built environment, Solvents, United States

Maryland is considering legislation to ban the sale of paint strippers containing N-methylpyrrolidone (NMP) or methylene chloride.

Introduced last month, the bill (HB 1138) calls for a prohibition on the sale or distribution of "any paint or coating removal product" containing either solvent. If passed into law, the ban would take effect from 1 January 2020.

A similar ban is being considered at the federal level. The US EPA [proposed a rule](#) under section 6 of TSCA in the final days of the Obama administration to ban paint strippers containing methylene chloride and prohibit or restrict such products containing NMP. However, the current administration appears to be [delaying action](#) on finalising it.

The NGO Center for Environmental Health has praised Maryland for taking up the issue "where the EPA has failed to act". It is calling on other states to follow suit.

In addition to the paint stripper legislation, Maryland lawmakers are also contemplating a cleaning product ingredient disclosure bill, similar to one passed [last year](#) in California.

The state is also one of more than half a dozen contemplating legislation to ban certain flame retardants from children's products.

Related Articles

- [US EPA proposes prohibitions on methylene chloride, NMP](#)
- [Restrictions on methylene chloride, NMP, TCE apparently shelved by US EPA](#)
- [California cleaning disclosure bill unites NGOs and industry](#)

Further Information:

- [HB 1138](#)

Amazon's e-commerce model a 'hurdle' for chemicals policy compliance

Company plans to make announcement this year

21 March 2018 / North America, Retail, United States, Voluntary action

amazon



Retail giant Amazon's promise of a chemicals management policy this year will have a big influence on the market, but its e-commerce business model will prove a challenge when it comes to getting third-party product sellers to adhere to it, say US NGOs and business groups.

The company announced in 2017 that it would launch its chemical policy – the first by a solely e-commerce business – this year, but it has not said exactly when it will do this.

Boma Brown-West, senior manager of the business programme at US NGO the Environmental Defense Fund (EDF), told Chemical Watch: "One of Amazon's biggest hurdles could be demonstrating that it can influence its large third-party seller population to adhere to its chemicals policy, when it doesn't have the traditional buyer-seller relationship that brick and mortar retailers have."

If, she added, Amazon is able to address this and establish a chemicals policy that commits to clear time-bound goals, then "I could see the retailer having a real impact on the marketplace."

Similarly, Joel Tickner, director of the Green Chemistry and Commerce Council (GC3), a cross-sectoral, business-to-business network of companies and other organisations, said: "The Amazon model of e-commerce, particularly of third-party sellers – that is becoming the norm with other retailers selling online – will create significant challenges in terms of extending chemicals policies beyond own brands to a dispersed network of smaller and larger resellers."

'Online retailers, like their brick and mortar peers, need to hold suppliers accountable for reducing the use of chemicals of high concern in the products they sell on their virtual shelves,' Mark Rossi, Clean Production Action

And Mark Rossi, executive director of US NGO Clean Production Action, the team behind the Chemical Footprint Project, said retailers that are successful in reducing their chemical footprints are setting clear goals for suppliers, both brands and private labels, to meet and then holding those companies accountable to the goals.

"Online retailers, like their brick and mortar peers, need to hold suppliers accountable for reducing the use of chemicals of high concern in the products they sell on their virtual shelves," he said.

Size and reach

The company's size and global reach in terms of product sales makes its development and implementation of a chemicals policy hugely significant. Amazon last year recorded net sales of almost \$180bn.

However, it has been criticised for its lack of chemicals management and came bottom of a 2016 'report card', ranking US retailers on their actions to eliminate chemicals in consumer products. The report card has been produced for the past two years by Mind the Store, a campaign run by the coalition Safer Chemicals, Healthy Families.

In last year's report card, the company ranked 14th out of 30 companies and scored 30.5 points out of a possible 135.

Mike Schade, Mind the Store director, said: "We are confident that Amazon will develop a chemicals policy that ensures the products they sell don't contain harmful chemicals. Given the company's innovation, resources and market power, the company can have a big impact on the health of its consumers."

David Levine, co-founder and CEO of the American Sustainable Business Council (ASBC), a policy group representing a network of more than 250,000 businesses, told Chemical Watch Amazon's plan to launch a policy is part of a trend of more businesses creating products that meet safer chemical criteria – and the growing demand of consumers.

Retailer policies

Amazon will follow several major retailers which have recently launched chemicals policies – such as [Home Depot](#) and [Costco](#). [Walgreens](#) and Staples also plan to launch policies this year.

Professor Tickner said that those being developed by major retailers to date have played a significant role in signalling demand for safer chemistry. "This has in turn driven the growth of green chemistry initiatives within brands and chemical manufacturers."

"Amazon's chemicals policy – the first of a solely e-commerce retailer – will only augment these demand signals and hopefully investments in green chemistry," said Professor Tickner.

Ms Brown-West said an effective policy sets clear time-bound goals on ingredient transparency within the supply chain and to consumers, and on safer products via removal of chemicals of concern and prevention of regrettable substitutes. Equally important, she said, is a plan to measure and demonstrate progress to consumers and the business.

Amazon declined to respond to Chemical Watch's questions asking for details about its policy and how it plans to address the challenge of ensuring its third-party sellers adhere.



Leigh Stringer

Global Business Editor

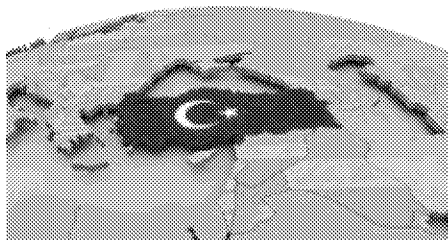
Related Articles

- [Apple comes top in US retailer chemical ranking](#)
- [Treading lightly with chemicals](#)
- [Amazon ranked bottom in retailer chemical 'report card'](#)
- [Apple comes top in US retailer chemical ranking](#)
- [US retailer Home Depot announces chemicals management measures](#)
- [Costco to screen products for 'chemicals of concern'](#)
- [Walgreens pledges to launch long-awaited chemical policy](#)

Industry moots 'Turcha' Turkish chemicals agency

But proposal for Echa-style agency may face political hurdles

21 March 2018 / KKDIK, Turkey



A Turkish consultancy has called on the country's environment ministry to establish a chemicals agency, modelled on Europe's Echa. Its purpose would be to support the implementation of [KKDIK](#), the country's new REACH-like regulation.

The 'Turcha' proposal, led by DorukSistem consultancy, has been endorsed by a leading Turkish scientific research organisation, academic institutions, free trade zones and civil society organisations, according to managing partner Selçuk Bilgin.

Mr Bilgin says that due to the size of the industry and potentially large number of registrations, "we need an organisation that can work closely with Cefic, Echa and the OECD."

Stakeholders have expressed concerns over the Ministry of Environment and Urbanisation's (MoEU) ability to process a high volume of KKDIK registrations with its current team of five to six people.

The law came into effect in December last year and sets a registration deadline of 2023. Pre-registrations are due by the end of 2020 and already some 4,000 substances are in the system, most of them carried over from the previous chemicals legislation.

Around 10,000 companies are expected to submit pre-registrations, industry observers say.

Mr Bilgin plans to take the proposal to the MoEU and other ministries to secure formal approval. He told Chemical Watch that during informal conversations MoEU officials have been "keen" on the idea.

However, he added, the proposal is still in the "early stages" and it may be a while before it can get off the ground – mostly because of political hurdles.

Some industry representatives doubt an Echa-style agency can be established in Turkey. Mustafa Bagan, KKDIK training executive at industry association TKSD and formerly its general secretary, called the Turcha proposal "politically difficult".

And another industry consultant with close links to the ministry said such a proposal would need to originate from them to have any chance of success. An independently conceived Turcha "does not fit" the definition of Echa, the consultant said.

Taking shape

Turcha would mirror Echa's management structure, with similar risk assessment and socio-economic analysis committees and composition of the management board, Mr Bilgin said.

He has asked Cefic – the European chemicals industry council – to help set up a meeting with the agency to discuss the proposal.

Cooperation with Echa, he said, would "speed things up" and could attract more financial support for the idea.

It could also lead to possible mutual recognition of registrations between the two agencies, he added. This might allay the fears of the many Turkish and European companies, concerned about the duplicate cost of data-sharing arrangements under REACH and KKDIK.

Cefic said discussions about the topic are "still in the very early stages", while an Echa spokesperson said it has not had "any "formal cooperation" with Turkey on the subject.

The spokesperson added: "Any potential mutual recognition system cannot be initiated by Echa, but should first be based on formal agreement at political level."

MoEU officials did not respond to Chemical Watch requests for comment.

Meanwhile, another initiative in Turkey seeks to set up an only representative organisation, similar to the European ORO, to advise on reputable service providers for KKDIK.

Mr Bilgin said foreign companies were having difficulties appointing ORs in Turkey and an ORO platform would provide a secure environment for European companies trading in the country.



Clelia Oziel

Reporter

Related Articles

- [Turkey publishes law modelled on REACH](#)

Mexico consults on household cleaning product labels

21 March 2018 / Biocides, GHS, Mexico

Mexico's health ministry has released a proposed standard on the labelling and packaging of household cleaning products.

The proposal, which aims to promote customer choice and reduce health risks, lays down the labelling requirements for hygiene products and substances intended for the "washing or cleaning of objects, surfaces or buildings, and that release specific fragrances into the air".

Products affected include:

- soaps;
- detergents;
- cleaners;
- whiteners;
- starches for external use;
- stain removers;
- disinfectants;
- deodorisers and air fresheners; and
- other similar products, determined by the ministry.

The draft standard, published on 7 March, also mentions cleaning products for textiles, substances used to unblock sanitary conduits, and products such as waxes, used to apply glossy finishes.

In a non-exclusive list, it singles out the following substances for particular attention:

- phosphates;
- phosphonates;
- anionic surfactants;
- cationic surfactants;
- amphoteric surfactants;
- nonionic surfactants;
- oxygen-based bleaches;
- chlorine-based bleaches;
- EDTA;
- nitrilotriacetic acid;
- halogenated phenols and phenols;
- aromatic hydrocarbons;
- aliphatic hydrocarbons;
- halogenated hydrocarbons;
- waxes;
- silicones;

- sulphates;
- carbonates;
- silicate;
- zeolites; and
- polycarboxylates.

Consultation on the proposal will finish on 7 May. The final standard will then become law, three months after its publication in the country's official journal.

In a [study](#) last November, Mexico was identified as one of a number of countries to have only partially implemented the Globally Harmonized System (GHS) of classification and labelling of chemicals.

Related Articles

- [GHS study highlights worldwide implementation gap](#)

Further Information:

- [Draft standard \(in Spanish\)](#)

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OTHER ARTICLES

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The Pew Charitable Trusts (blog)

Virginia Lyons, the lead sponsor on a piece of **toxic chemicals** legislation in Vermont. Lyons' proposal would go beyond individual chemicals and set up a mechanism to ban flame retardants from children's products if they are deemed unhealthy by the state Department of Health following a scientific ...